

Equivalent of Form PTO/SB/08a (7-09)

Substitute for form 1449/PTO				<div> <div>Complete if Known</div> <div> <div>Application Number</div> <div>09/839,536</div> </div> <div> <div>Filing Date</div> <div>April 23, 2001</div> </div> <div> <div>First Named Inventor</div> <div>Kirk Emil APT</div> </div> <div> <div>Art Unit</div> <div>1633</div> </div> <div> <div>Examiner Name</div> <div>LEAVITT, Maria Gomez</div> </div> <div> <div>Attorney Docket Number</div> <div>2715.0360001/JUK/SAS</div> </div> </div>	
<div> <div>THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</div> <div>(Use as many sheets as necessary)</div> </div>					
Sheet	1	of	1		

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>2</sup> Number <sup>3</sup> Kind Code <sup>2</sup> (if known)				
	FP1	EP 0 235 112 A2	09-02-1987	Smithkline Beckman Corporation		
	FP2	WO 93/05163 A1	03-18-1993	Danisco A/S		
	FP3	WO 94/20627 A1	09-15-1994	Sandoz Ltd.; Sandoz-Patent-GmbH; Sandoz-Erfindungen Verwaltungsgesellschaft M.B.H.		
	FP4	WO 96/31612 A2	10-10-1996	Seminis Vegetables		

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Examiner Signature	/Maria Leavitt/	Date Considered	05/07/2010
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\* EXAMINER: Initial if reference consoldated, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). \* See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \* E-Office: this issued statement, by the two-letter code (WIPO Standard ST.3). \* For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \* Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \* Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.414. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time varies depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.L./

Equivalent of Form PTO/SB/08b (7-09)

Substitute for form 1449/PTO			<b>Complete if Known</b>		
<b>THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)			Application Number	09/839,536	
			Filing Date	April 23, 2001	
			First Named Inventor	APT, Kirk Emil	
			Art Unit	1633	
			Examiner Name	LEAVITT, Maria Gomez	
Sheet	1	of	2	Attorney Docket Number	2715.0360001/JUK/SAS

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published		T <sup>2</sup>
	NPL1	DROOP, M.R., "Heterotrophy of Carbon," in <i>Algal Physiology and Biochemistry</i> , STEWART, W.D.P., ed., University of California Press, Berkeley, CA USA, pgs. 530-559 (1974)		
	NPL2	HELLEBUST, J.A. and LEWIN, J., "Heterotrophic Nutrition," in <i>The Biology of Diatoms</i> , WERNER, D., ed. University of California Press, Berkeley, CA USA, pgs. 169-197 (1977)		
	NPL3	HU, D., et al., "The <i>C. reinhardtii</i> CF <sub>1</sub> with the mutation $\beta$ T168S has high ATPase activity," <i>FEBS Letters</i> 421:65-68, Federation of European Biochemical Societies, London, UK (1998)		
	NPL4	KRÖGER, N., "The Sweetness of Diatom Molecular Engineering," <i>J. Phycol.</i> 37:657-658, The Phycological Society of America, San Marcos, CA (2001)		
	NPL5	LEWIN, J. and HELLEBUST, J.A., "Utilization of Glutamate and Glucose for Heterotrophic Growth by the Marine Pennate Diatom <i>Nitzschia laevis</i> ," <i>Marine Biology</i> 47:1-7, Springer-Verlag, New York, NY USA (1978)		
	NPL6	STARR, R.C. and JAENICKE, L., "Purification and Characterization of the Hormone Initiating Sexual Morphogenesis in <i>Volvox carteri</i> f. <i>nagariensis</i> Iyengar," <i>Proc. Nat. Acad. Sci. USA</i> 71:1050-1054, National Academy of Sciences, Washington, DC USA (1974)		
	NPL7	VAZHAPPILLY, R. and CHEN, F., "Eicosapentaenoic Acid and Docosahexaenoic Acid Production Potential of Microalgae and Their Heterotrophic Growth," <i>JAOCs</i> 75:393-397, AOCS Press, Urbana, IL USA (1998)		
	NPL8	ZASLAVSKAIA, L.A., et al., "Transformation of the Diatom <i>Phaeodactylum Tricornutum</i> (Bacillariophyceae) With A Variety of Selectable Marker and Reporter Genes," <i>J. Phycol.</i> 36:379-386, The Phycological Society of America, San Marcos, CA USA (2000)		
	NPL9	ZASLAVSKAIA, L.A., et al., "Trophic Conversion of an Obligate Photoautotrophic Organism Through Metabolic Engineering," <i>Science</i> 292:2073-2075, American Association for the Advancement of Science, Washington, DC USA (2001)		
	NPL10	European Search Report for Application No. EP 06 01 9651, completed on March 21, 2007, European Patent Office, Munich, Germany		

Examiner Signature	/Maria Leavitt/	Date Considered	05/11/2010
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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				First Named Inventor	APT, Kirk Emil
				Art Unit	1633
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